

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA**

JOSEPH LLOYD THOMPSON, *et al.*,

Petitioners/Plaintiffs,

v.

JOHN TSOUKARIS, *et al.*,

Respondents/Defendants.

Case No.:

HEARING REQUESTED

**PETITIONERS-PLAINTIFFS' MOTION
FOR TEMPORARY RESTRAINING ORDER AND EMERGENCY WRIT
OF HABEAS CORPUS**

Pursuant to Federal Rule of Civil Procedure 65, Plaintiffs-Petitioners Joseph Lloyd Thompson, Ansumana Jammeh, Karen Lopez, Sarai Hernandez, Nilson Fernando Barahona Marriaga, Shelley Dingus, Jenner Benavides, David Fernandez, Gerardo Arriaga, Aristoteles Sanchez Martinez, Michael Robinson, Tomas Hernandez, and Peter Owusu (collectively, "Petitioners") hereby submit this Motion for Temporary Restraining Order and emergency habeas relief.

Petitioners are medically vulnerable people detained at three immigration detention centers in south Georgia and are at a high risk of both contracting COVID-19 and suffering severe negative health impacts, or even death, if they do. Because their continued detention poses a severe risk of serious illness or death that vastly

outweighs any legitimate government interest in continuing to detain them, their continued detention constitutes impermissible punishment. Because the government knows or should know of the substantial risk of serious harm to Petitioners, their continued detention also demonstrates deliberate indifference. For both reasons, the government's conduct violates the Petitioners' rights under the Fifth Amendment Due Process Clause. Accordingly, Petitioners move the Court to issue a Writ of Habeas Corpus or a temporary restraining order securing their release from detention.

The grounds for Petitioners' Motion are set forth in more detail in the accompanying Memorandum of Law in Support of their Petition for Writ of Habeas Corpus and Motion for Temporary Restraining Order.

Dated: April 3, 2020

Respectfully submitted,

SOUTHERN POVERTY LAW CENTER

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**pro hac vice motions forthcoming*

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CERTIFICATE OF SERVICE

I hereby certify that on April 3, 2020, I have electronically filed the foregoing with the Clerk of the Court using the CM/ECF Systems. Given the emergency nature of this action, and the fact that no appearances have yet been entered by Defendants in this case, I further certify that on April 3, 2020, I emailed copies of the pleadings to Lori Beranek of the United States Attorneys' Office for the Northern District of Georgia, at lori.beranek@usdoj.gov.

/s/ Amanda N. Brouillette
Amanda N. Brouillette

CERTIFICATE OF COMPLIANCE WITH L.R. 5.1

I hereby certify that the foregoing document is written in 14 point Times
New Roman font in accordance with Local Rule 5.1.

/s/ Amanda N. Brouillette
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